



**CITY OF CORNING
SPECIAL CITY COUNCIL
CLOSED SESSION AGENDA
TUESDAY, OCTOBER 13, 2020
CITY COUNCIL CHAMBERS
794 THRID STREET**

This is an Equal Opportunity Program. Discrimination is prohibited by Federal Law. Complaints of discrimination may be filed with the Secretary of Agriculture, Washington, D.C. 20250.

A. CALL TO ORDER: 5:30 p.m.

B. ROLL CALL:

Council: Robert Snow
Jose "Chuy" Valerio
Dave Demo
Karen Burnett
Mayor: Douglas Hatley Jr.

All members of the City Council were present with Mayor Hatley on the phone.

C. PUBLIC COMMENTS: None

D. REGULAR AGENDA:

- 1. CONFERENCE WITH LOCAL OFFICIALS:
COVID-19 (State of California Executive Order N-35-20-Order No. 2)**

E. ADJOURN TO REGULARLY SCHEDULED CITY COUNCIL MEETING AND REPORT ON CLOSED SESSION: 6:30 p.m.

Council met in Closed Session with Tehama County Health Services Agency Executive Director Valerie Lucero; there were no reportable actions.

Lisa M. Linnet, City Clerk



**CITY OF CORNING
CITY COUNCIL MEETING AGENDA
TUESDAY, OCTOBER 13, 2020
CITY COUNCIL CHAMBERS
794 THIRD STREET**

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A. CALL TO ORDER: 6:30 p.m.

B. ROLL CALL:

Council: Robert Snow
Jose "Chuy" Valerio
Dave Demo
Karen Burnett
Mayor: Douglas Hatley Jr.

All members of the City Council were present except Mayor Hatley.

C. PLEDGE OF ALLEGIANCE: Led by the City Manager.

D. INVOCATION: Led by Councilor Burnett.

E. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, PRESENTATIONS:

1. **Proclamation: National Domestic Violence Awareness Month – October 2020.** Present to accept the Proclamation was Empower Tehama Domestic Violence Victims Advocate Maggie Michael.
2. **PROCLAMATION: October 22, 2020 as “Lights on After School Day”.** Present to accept the Proclamation was SERRF Expanded Learning Program Recreation Specialist Erin Luevano.
3. **COVID-19 Update by City Manager.**

City Manager Kristina Miller announced that Tehama County is now in the States Purple Tier (the most restrictive). We do not have a County Enforcement Order in place however we hope that everyone will voluntarily comply.

Ms. Miller announced that the City is currently working with 3CORE towards putting together a Small Business COVID-19 Stabilization Grant Program which we anticipate to have online by October 16th. She further stated that the City of Corning is the only City that has allocated all of their allotted CARES Act COVID-19 Relief Funds towards funding grants to assist our local businesses financially impacted by COVID-19, This action allows the City a total of \$94,035 to fund such grants. She further explained that grant funding selection will be prioritized using a tiered format and businesses will be chosen to receive the grants on a lottery basis. She announced that further information can be found on the City’s website at www.corning.org or by contacting Lisa Linnet. Ms. Miller also stated that the County had grant funding in the amount of \$300,000 available to assist all County wide businesses impacted by COVID-19, however the submittal date closed on October 7th. City Staff did outreach to our businesses via social media and in person to get this information out prior to the closing date.

City Manager Miller emphasized to everyone to be cautious, wear your masks and social distance so that we can get our numbers lower and get our businesses open.

F. PUBLIC COMMENTS AND BUSINESS FROM THE FLOOR:

An audience member stated a complaint about the speeding occurring on Colusa and North Street. Vice Mayor Snow suggested that he speak with Police Chief Fears to address this issue. Chief Fears met with the gentleman regarding the issue.

Steve Kimbrough: Mr. Kimbrough, on behalf of the Chamber of Commerce stated that the Chamber of Commerce Board met and voted to oppose Proposition 15; he stated some of the reasons why the Board chose to oppose Proposition 15. City Clerk Lisa Linnet read the letter received from the Chamber of Commerce that was addressed to the City Council seeking their support in opposing Proposition 15.

City Manger Kristina Miller: City Manager Kristina Miller announced that the second Park Prop. 68 meeting will be held on October 15th at 5:30 p.m. She explained that last year the City applied for a Prop. 68 Grant that we did not receive, however the State did encourage the City to resubmit this application during the next round of grant openings. She announced that the City will be submitting two applications this year, the previous application submitted last year with updated costs; as well as a new application for another site recently chosen by the City Council. She then explained the specifics of the grant rating system which was utilized by the City Council in selecting the proposed Park Grant Site.

G. CONSENT AGENDA: It is recommended that items listed on the Consent Agenda be acted on simultaneously unless a Councilmember or members of the audience request separate discussion and/or action.

4. **Waive reading, except by title, of any Ordinance under consideration at this meeting for either introduction or passage, per Government Code Section 36934.**
5. **Waive the reading and approve the Minutes with any necessary corrections of the following City Council Meetings:**
 - a) **September 22, 2020 City Council Meeting; and**

b) September 28, 2020 Special City Council Meeting.

6. October 7, 2020 Claim Warrant in the amount of \$411,111.30.

7. October 7, 2020 Business License Report.

8. September Wages & Salaries: \$376,232.19.

9. September 2020 Treasurer's Report.

10. September 2020 Building Permit Valuation Report in the amount of \$256,596.

11. September 2020 City of Corning Wastewater Operations Summary Report.

Councilor Valerio moved to approve Consent Items 4-11; Councilor Burnett seconded the motion.

Ayes: Snow, Valerio, Burnett, and Demo. Absent: Hatley. Abstain/Opposed: None. Motion was approved by a 4-0 vote with Hatley absent.

H. ITEMS REMOVED FROM THE CONSENT AGENDA: None

I. PUBLIC HEARINGS AND MEETINGS: None

J. REGULAR AGENDA:

12. Provide Staff direction regarding establishment of a Noise Ordinance.

City Attorney Collin Bogener explained the existing City's Nuisance Ordinance, as well as existing State Penal Code Section 415(2) which carries a fine, and California Vehicle Code 27007 which the City currently uses to enforce unreasonable noise. He stated that Staff is requesting direction and stated that he can assist in any way needed.

Councilor Snow stated that at the last meeting two members of the audience stated complaints regarding noise which is why he asked that Staff do some research and bring it back to Council for discussion. Chief Fears stated that the City responded to 36 different noise complaints this past year, with every one of these responses no citations were issued. Chief Fears was then asked, of those responses, were any citations issued; he responded stating no. He further stated that with the majority of the complaints it was not the loudness of the music, but rather the type of music. Councilor Demo stated that he thought the current regulations could work with some modifications, he felt that would work towards addressing the issue.

Shelly Hargens stated she would like to see an enforceable Ordinance. She stated that they recently had an issue at 2 a.m. with fireworks (aerial); this was after asking the party responsible to turn their music down at 10:45 p.m. (which they did). She stated that this type of incident has been occurring of and on for about 3 years. Mrs. Hargens stated that she had contacted the Police Department. She asked that the City Council consider developing a more specific noise Ordinance because what we currently have is not effective. Vice Mayor Snow stated under State Law it is a citizen's citation, if the reporting citizen is unwilling to sign the citation, nothing happens. He further stated that the City could establish an Ordinance, however utilizing the State Law issues more of a bite. Michael LePeilbet stated he concurred with Mrs. Hargens and her concerns. He stated he lives two doors down from Mrs. Hargens and also heard the fireworks.

Councilor Burnett stated that she was unaware that there is a complaint that can be signed. Chief Fears stated that he and his Department must be made aware of an incident; that the Police Department should respond to the complaint and obtain a signed complaint so that legal action can be taken. Councilor Burnett asked if something could be placed on the Police Department webpage; Chief Fears stated yes; however, he would like to have the resident/complainant come and talk with him one on one.

Councilor Demo asked if the Police Dispatchers have been informed to respond and state that an Officer will respond? He was informed yes; however, the reporting party would still need to sign a complaint.

City Attorney Collin Bogener suggested that he and Chief Fears get together and review the Nuisance Ordinance and make some modifications for Council to consider.

By general consensus Council directed the City Attorney and Police Chief Fears to work on modifying the current Nuisance Ordinance for Council to consider for future action.

13. Authorize Public Works to seek proposals for a three-year Street Striping Service Agreement.

City Manager Kristina Miller presented this item and asked for Council direction to seek proposals for a three-year Street Striping Services Agreement. Ms. Miller stated that the City in past years has utilized such Agreements. She then pointed out that funding for street striping services is included in each budget, and she pointed out the timesaving benefits of having an Agreement for this service in place.

Councilor Demo moved to authorize Public Works to seek proposals for a three-year Street Striping Services Agreement. Councilor Burnett seconded the motion. **Ayes: Snow, Valerio, Burnett, and Demo. Absent: Hatley. Abstain/Opposed: None. Motion was approved by a 4-0 vote with Hatley absent.**

14. Provide Staff direction for the installation of the Yost Park playground equipment.

City Planner 1/Recreation Coordinator Christina Meeds stated that last February, Recreation Commissioner Justin Eckenrod volunteered to have his Company along with other local Contractors install the new3 playground equipment at Yost Park. The equipment was ordered and received in May and has been stored at the City's Corporation Yard. Public Works Crewmembers have removed the old playground equipment and Evan Johnson Construction have completed the sidewalk, curb, and gutter to meet ADA guidelines in August. Mr. Eckenrod's schedule has not allowed him time to install the equipment to date; he recently informed Staff that at best he would be able to install the playground equipment if his schedule allows, in November or December, however he would prefer to start the project next spring.

Ms. Miller stated that at the time the equipment was ordered, the installation cost as proposed by the equipment supplier was \$36,671. Because the City anticipated utilizing Volunteer labor for this installation, the City did not include the \$36,671 installation costs in this year's fiscal budget. She further stated currently there is \$11,832 remaining in the Parks Capital Outlay Budget, however, a portion of those funds will be used to provide materials for the installation of the three remaining fitness stations at Corning Community Park. She stated that any additional costs for the installation of the Yost Park playground equipment would require a supplemental appropriation from the City's General Fund Reserves. She concluded by stating that Staff is asking for Council direction on how to proceed.

Councilor Demo stated that he would prefer to wait and see how Justin's schedule goes and see if he will be able to install the equipment in November/December. He stated he does not want to spend \$36.671 for the playground equipment installation. Vice Mayor Snow stated he would like to see it go out to Bid explaining that we don't have to award the Bid if the Bid amounts come in to high, or if Justin is able to install the equipment prior to Spring.

City Manager Miller cautioned against utilizing the Bid process in this manner as it could cause a lack of trust by Contractors if not awarded and possible problems in receiving bids on future projects. She suggested having Staff first contact Mr. Eckenrod again to confirm whether his schedule will allow him to complete the project prior to December.

Councilor Valerio stated he thinks we should wait until Spring. Councilor Burnett suggested giving Mr. Eckenrod until December, if he is unable to install in December, then Staff should seek Bids to complete the project.

Council, by consensus, directed Staff to contact Mr. Eckenrod to confirm whether he will be able to install the playground equipment before April, if he is unable to, Council directed Staff to seek Bids.

K. ITEMS PLACED ON THE AGENDA FROM THE FLOOR: None

L. COMMUNICATIONS, CORRESPONDENCE, AND INFORMATION: None

M. REPORTS FROM MAYOR AND COUNCIL MEMBERS: City Councilmembers will report on attendance at conferences/meetings reimbursed at City expense (Requirement of Assembly Bill 1234).

Snow: Reported that he had attended and participated in the virtual Candidates night sponsored by the Red Bluff Chamber of Commerce on October 7th. Kristina Fears stated that the Corning Chamber of Commerce is working on putting together some type of Candidates Night.

Valerio: Reported that the Olive Festival this past Saturday was attended by many. Chamber of Commerce President Kristina Fears stated that she believes that the Vendors did well, as did the High Scholl's booth.

Demo: Reported that he had attended a Tehama County Solid Waste Management Agency (JPA) meeting via phone on October 5th. We discussed recruitment of an Organic Materials Program Coordinator; and authorizing the Agency Manager to sign the Proposal to Design an Anaerobic Compost Digestion Facility for the Tehama County/Red Bluff Landfill, and authorize Lawrence & Associates to complete an anaerobic compost digestion facility feasibility study.

Burnett: None

Hatley: Absent.

N. ADJOURNMENT!: 7:40 p.m.

Lisa M. Linnet, City Clerk